

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

IDAPA 02 - DEPARTMENT OF AGRICULTURE P.O. Box 790, Boise, Idaho 83701-0790

Docket No. **02-0214-0101**, Rules for Weights and Measures. Eliminates the retroactive requirement for ticket printers for vehicle mounted metering systems; deletes obsolete language referencing National Bureau of Standards; adds date specific editions of National Institute of Standards and Technology Handbooks, HB 44 and HB 133 as adopted by reference; deletes obsolete references; adds a website address for reference documents. Comment By: 9/28/01.

IDAPA 09 - DEPARTMENT OF LABOR 317 W. Main Street, Boise, ID 83735

Docket No. **09-0130-0101**, Rules of the Benefits Bureau. For benefit eligibility purposes, clarifies that a suspension for an "indefinite period of time" will be defined as a discharge. Comment By: 9/27/01.

Docket No. **09-0130-0102**, Rules of the Benefits Bureau. Clarifies that a claimant suspended with or without pay for a specific number of days is not considered unemployed when given a date to return to work. Comment By: 9/27/01.

Docket No. **09-0130-0103**, Rules of the Benefits Bureau. Adds categories of information that a claimant must provide to the Department as a condition of eligibility for benefits, including a record of a claimant's work search, if requested, once a claim has been established. Comment By: 9/27/01.

Docket No. **09-0130-0104**, Rules of the Benefits Bureau. Changes conform to statutory changes by deleting penalty for employers who fail to provide separation information within 10 days of the Department's request. Comment By: 9/27/01.

Docket No. **09-0130-0105**, Rules of the Benefits Bureau. Adds additional types of work-seeking activities that a claimant may be expected to do to comply with requirements for eligibility for benefits. Comment By: 9/27/01.

Docket No. **09-0135-0101**, Rules of the Employer Accounts Bureau. Adds definition of domestic labor consistent with that used by the Internal Revenue Service and defines what remuneration constitutes non-cash payments for farm work. Comment By: 9/27/01.

Docket No. **09-0135-0102**, Rules of the Employer Accounts Bureau. Clarifies that an employer is given appeal rights in all cases involving requests for transfer of experience rates; clarifies that when an employer sells a business to another employer, the buyer may use the taxable wage base of the seller for calculating a taxable wage base only if the experience rate of the seller has been transferred to the buyer. Comment By: 9/27/01.

Docket No. **09-0135-0103**, Rules of the Employer Accounts Bureau. Clarifies which quarter that back wages will be assigned for calculating unemployment benefits and which calendar quarters to assign back wages to determine when employment security contributions on those wages are due and payable. Comment By: 9/27/01.

Docket No. **09-0140-0101**, Rules of the Job Training Partnership Act. Repeal of chapter. Comment By: 9/27/01.

IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS 600 S. Orchard, Suite A, Boise, Idaho 83705-1242

Docket No. **10-0101-0101**, Rules of Procedure. Candidates who fail to pass an examination will not be allowed to review exam questions if those questions will be repeated on later exams; more closely aligns the academic requirements for equivalency with an accredited engineering program for those not holding an engineering degree; eliminates references to "corporation" where "business entity" is more appropriate. Comment By: 9/26/01.

Docket No. **10-0102-0101**, Rules of Professional Responsibility. Substitutes "business entity" for "corporation" as used in statute. Comment By: 9/26/01.

IDAPA 14 - BOARD OF REGISTRATION OF PROFESSIONAL GEOLOGISTS P. O. Box 83720, Boise, ID 83720-0033

Docket No. **14-0101-0101**, Rules of Procedure of the Board of Professional Geologists. Sets fees for examination, certification, reexamination, and replacement of cost certificates, as required by the Association of State Boards of Geology, as part of the registration requirement; addresses examination-related administrative issues; creates a reduced renewal rate for licensees 70 or older. Comment By: 9/27/01.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

PO Box 83720, Boise, ID 83720-0036

Docket No. **16-0304-0102**, Rules Governing the Food Stamp Program in Idaho. Revises requirements for application processing, alien income and eligibility, income determinations, resource determinations, claims management, and work criteria for single adults and families receiving Food Stamps. Comment By: 9/26/01.

Docket No. **16-0309-0106**, Rules Governing the Medical Assistance Program. Updates dental procedure codes in the Idaho Medicaid Provider Handbook to reflect the 2001 American Dental Association codes and re-incorporates Handbook into the rules to comply with SB 1301; clarifies billing for pulp vitality tests, behavior management, and consultations; and adds limitations on panoramic x-rays. Comment By: 9/26/01.

**IDAPA 35 - IDAHO STATE TAX COMMISSION
800 Park, Plaza IV, P.O. Box 36, Boise, ID 83722**

Docket No. **35-0102-0101**, Sales and Use Tax Administrative Rules. Corrects references made to deleted rules and updates them to the correct section; deletes obsolete language referring to ISTC rules and makes them consistent with the terminology now used to reference rules; revises Form ST-108BT. Comment By: 9/26/01.

Docket No. **35-0105-0101**, Motor Fuels Tax Administrative Rules. Clarifies the terminology of undyed diesel fuel to be consistent industry usage; clarifies how claims for refunds should be made; conforms to statutory changes for temporary permits with extended time limits by deleting the hourly time limit and calling it a temporary permit; deletes weight requirement for vehicles and clarifies documentation needed to claim refunds; updates language to IFTA licensees; and deletes obsolete language and updates terminology. Comment By: 9/26/01.

Docket No. **35-0109-0101**, Idaho County Option Kitchen and Table Wine Tax Administrative Rules. Changes references to the Director of Law Enforcement to the Director of the Idaho State Police. Comment By: 9/26/01.

Docket No. **35-0112-0101**, Idaho Beer Tax Administrative Rules. Changes references to the Director of Law Enforcement to the Director of the Idaho State Police. Comment By: 9/26/01.

**IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY
1410 N. Hilton, Boise, Idaho 83706-1255**

Docket No. **58-0101-0104**, Rules for the Control of Air Pollution in Idaho. Changes propose to adopt a permit to construct application fee, processing fee schedules for calculating permit to construct and Tier II operating permit processing fees, and a registration fee for owners of qualified facilities opting to register with DEQ in lieu of obtaining an individual permit, and makes corrections to references within the rule chapter. Comment By: 10/9/01.

Docket No. **58-0105-0101**, Rules and Standards for Hazardous Waste. Updates incorporated rules to be consistent with revisions to the federal RCRA regulations as of July 1, 2001; revised definition of Environmental Appeals Board; makes technical corrections; eliminates court vacated language; denotes meaning of "EPA" and "Administrator" or "Regional Administrator". Comment By: 9/26/01.

Docket No. **58-0116-0101**, Rules for Nutrient Management. Repeal of chapter. Comment By: 9/26/01.

PUBLIC HEARINGS – Public Hearings Have Been Scheduled For The Following Dockets:

Department of Health and Welfare

Docket No. **16-0309-0103**, (Temporary Rulemaking) Rules Governing the Medical Assistance Program.

Department of Environmental Quality

Docket No. **58-0101-0104**, Rules for the Control of Air Pollution in Idaho. Comment By: 10/9/01.

Docket No. **58-0106-0101**, Solid Waste Management Rules. Comment By: 9/14/01.

Please refer to the Idaho Administrative Bulletin, **September 5, 2001, Volume 01-9** for notices and text of all rulemakings, public hearing schedules, Governor's executive orders, and agency contact names.

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